

REMARKS

Prior to examination on the merits, Applicants respectfully request entry and consideration of the foregoing amendments. Claims 1-45 were filed in parent application U.S. Serial No. 09/770,773. Original claims 2-45 are currently being cancelled by the foregoing amendment. Applicants respectfully request the cancellation of original claim 1 upon the present application being granted a filing date. As such, claim 1 should not be examined on the merits.

Applicants are presenting new claims 46-89 by way of the foregoing amendment. New base claim 46 defines a fluid for preventing or treating hypohydration, comprising a flavanolignan, a methyl amine or a combination thereof, said fluid further comprising one or more digestible carbohydrates and one or more minerals, wherein said fluid has an essentially hypotonic osmolarity, and wherein said methyl amine is dimethylglycine or sarcosine.

Applicants respectfully submit that support for new claims 46-89 is found throughout the specification. In particular, Applicants note that the methyl amines, dimethylglycine and sarcosine, are disclosed at page 9, lines 18-19 where Applicants disclose, "Preferred methylamines are dimethylglycine, choline, sarcosine and betaine." As such, no new matter is being presented here. Entry of new claims 46-89 is respectfully requested at this time.

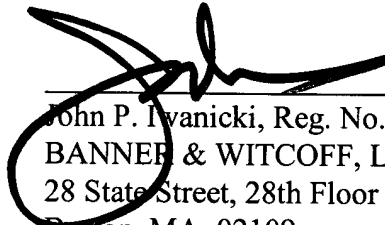
Applicants submit that the above amendment to the specification at page 9, line 25, which indicates the correct spelling of the term "flavanolignans" was presented in parent application U.S. Serial No. 09/770,773 by way of an amendment dated October 28, 2003. Accordingly, the foregoing amendment to the specification does not constitute new matter.

No new matter is being submitted by way of the amendments presented here. Applicants respectfully request entry of the foregoing amendments at this time.

Respectfully submitted,

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